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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,926	03/29/2005	Munehiro Chosa	256442US0XPCT	2161
22850	7590	12/23/2005	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			BOYKIN, TERRESSA M	
			ART UNIT	PAPER NUMBER
			1711	
DATE MAILED: 12/23/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/501,926

Applicant(s)

CHOSA, MUNEHIRO

Examiner

Terressa M. Boykin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10-25-05.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

**Claim Rejections - 35 USC § 102**

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United

**Claims 1,3-6 are rejected under 35 U.S.C. 102(b) as being anticipated by USP 5463013 .**

Modified aromatic polycarbonate resin, modified aromatic polyester carbonate resin, modified polyarylate, and molded articles therefrom wherein the molded article from the above modified aromatic polycarbonate resin is hence suitable for use as a structural material or a functional material for an optical part such as a flat panel for a liquid crystal unit, *an optical card, an optical disk*, an optical fiber, an optical waveguide path, a connector, various lenses, a prism and a film.

When the molecular weight of the above-obtained modified aromatic polycarbonate resin is too small, the modified aromatic polycarbonate resin is fragile and cannot be practically used. When a solution of 0.7 g of the modified aromatic polycarbonate resin in 100 ml of methylene chloride is measured for a specific viscosity at 20.degree. C. to show at least 0.165, the modified aromatic polycarbonate resin gives a molded article having excellent properties. The above specific viscosity is preferably 0.229 to 0.539, particularly preferably 0.264 to 0.451.

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Note examples 5-7 disclose:

100 Parts of a polycarbonate from bisphenol A, having a specific viscosity of 0.405 (Panlite L-225W, supplied by Teijin-Chemicals Limited) was mixed with 17.1 parts of the modified polycarbonate obtained in Example 4, and the mixture was extruded with an extruder at 250.degree. C. to prepare pellets. These pellets had a substituted phenol compound B content, when analyzed by IN absorption spectrum, of 5%, an MFR of 18 g/10 minutes, a total light transmittance of 89% and an Izod impact strength of 85 kg.cm/cm.

and specifically example 8 with regard the use of .05% of

Irganox 1076 and 0.2% of stearic acid monoglyceride :

#### EXAMPLE 8

The same reaction vessel as that used in Example 3 was charged with 17,800 parts of ion-exchanged water and 3,732 parts of a 48.5% sodium hydroxide aqueous solution, and 3,131 parts of 1,1-bis(4-hydroxyphenyl)-3,3,5-trimethylcyclohexane was dissolved in the mixture. Then, 11,110 parts of methylene chloride was added, and while the mixture was stirred, 1,200 parts of phosgene was blown into the mixture at 20.degree. C. over about 40 minutes. After the introduction of the phosgene was finished, the temperature inside the reaction vessel was increased up to 30.degree. C., and 420.6 parts of the substituted phenol compound A was added to emulsify the reaction mixture. Then, 3.5 parts of triethylamine was added, and the mixture was stirred for about 2 hours and the reaction was finished. After the reaction, an organic phase was separated, diluted with methylene chloride, washed with water and then neutralized with hydrochloric acid. The resultant reaction product was repeatedly washed with water, and when the electric conductivity of the aqueous phase was almost equivalent to that of ion-exchanged water, an organic phase was separated and pulverized while methylene chloride was evaporated to give 3,794 parts of a colorless modified polycarbonate (yield 99.5%). This polymer had a specific viscosity of 0.339, a glass transition temperature of 175.degree. C. and an MFR of 2.0 g/10 minutes. Then, 0.03% of tris(nonylphenyl)phosphite, 0.05% of Irganox 1076 and 0.2% of stearic acid monoglyceride were added to the above polymer, and the mixture was melt-extruded at 280.degree. C. to prepare pellets. The pellets were injection-molded to prepare a test piece (disk plate) having a diameter of 40 mm and a thickness of 1 mm. This test piece had a total light transmittance of 89%.

Note that the mixture was melt-extruded at 280.degree. C. to prepare pellets. The pellets were injection-molded to prepare a test piece (disk plate) having a diameter of

40 mm and a thickness of 1 mm. This test piece had a total light transmittance of 89%.

Each of the reference discloses an aromatic polycarbonate resin product prepared from the same components as claimed by applicants. Since the claimed viscosity average molecular weight of the melt are expressed differently and thus may be distinct from those claimed, it is incumbent upon applicant(s) to establish that they are in fact different and whether such difference is unobvious. In view of the above, there appears to be no significant difference between the reference and that, which is claimed by applicant(s). Any differences not specifically mentioned appear to be conventional. Consequently, the claimed invention cannot be deemed as novel and accordingly is unpatentable.

**THIS ACTION IS MADE FINAL**

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

### **Correspondence**

Please note that the cited U.S. patents and patent application publications are available for download via the Office's PAIR. As an alternate source, all U.S. patents and patent application publications are available on the USPTO web site ([www.uspto.gov](http://www.uspto.gov)), from the Office of Public Records and from commercial source

**s. Applicants may be referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-217-9197.**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Terressa Boykin whose telephone number is 571 272-1069. The examiner can normally be reached on Monday through Friday from 6:30am to 3:00pm.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. The general information number for listings of personnel is ( 571-272-1700).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

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have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
TERRESSA M. BOYKIN  
PRIMARY EXAMINER